

sicknesses; physical phenomena and incidents of decompression; and any other physiological aspects of high altitude flight; and

(ii) Flight training in an airplane, or in a simulator that meets the requirements of §121.407 of this chapter, and which is representative of an airplane as described in paragraph (f)(1) of this section. This training shall include normal cruise flight operations while operating above 25,000 feet MSL; the proper emergency procedures for simulated rapid decompression without actually depressurizing the airplane; and emergency descent procedures;

(2) The training required in paragraph (f)(1) of this section is not required if a person can document accomplishment of any of the following in an airplane, or in a simulator that meets the requirements of §121.407 of this section, and that is representative of an airplane described in paragraph (f)(1) of this section:

(i) Served as pilot in command prior to April 15, 1991;

(ii) Completed a pilot proficiency check for a pilot certificate or rating conducted by the FAA prior to April 15, 1991;

(iii) Completed an official pilot-in-command check by the military services of the United States; or

(iv) Completed a pilot-in-command proficiency check under parts 121, 125, or 135 conducted by the FAA or by an approved pilot check airman.

(g) *Tailwheel Airplanes.* No person may act as pilot in command of a tailwheel airplane unless that pilot has received flight instruction from an authorized flight instructor who has found the pilot competent to operate a tailwheel airplane and has made a one time endorsement so stating in the pilot's logbook. The endorsement must certify that the pilot is competent in normal and crosswind takeoffs and landings, wheel landings unless the manufacturer has recommended against such landings, and go-around procedures. This endorsement is not required if a pilot has logged flight time as pilot in command of tailwheel airplanes prior to April 15, 1991.

(h) *Exception.* This section does not require a class rating for gliders, or category and class ratings for aircraft

that are not type certificated as airplanes, rotorcraft, or lighter-than-air aircraft. In addition, the rating limitations of this section do not apply to—

(1) The holder of a student pilot certificate;

(2) The holder of a recreational pilot certificate when operating under the provisions of §61.101 (f), (g), and (h).

(3) The holder of a pilot certificate when operating an aircraft under the authority of an experimental or provisional type certificate;

(4) An applicant when taking a flight test given by the Administrator; or

(5) The holder of a pilot certificate with a lighter-than-air category rating when operating a hot air balloon without an airborne heater.

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§61.33 Tests: General procedure.

Tests prescribed by or under this part are given at times and places, and by persons, designated by the Administrator.

§61.35 Written test: Prerequisites and passing grades.

(a) An applicant for a written test must—

(1) Show that he has satisfactorily completed the ground instruction or home study course required by this part for the certificate or rating sought;

(2) Present as personal identification an airman certificate, driver's license, or other official document; and

(3) Present a birth certificate or other official document showing that he meets the age requirement prescribed in this part for the certificate sought not later than 2 years from the date of application for the test.

(b) The minimum passing grade is specified by the Administrator on each written test sheet or booklet furnished to the applicant.

This section does not apply to the written test for an airline transport pilot certificate or a rating associated with that certificate.

§ 61.37 Written tests: Cheating or other unauthorized conduct.

(a) Except as authorized by the Administrator, no person may—

(1) Copy, or intentionally remove, a written test under this part;

(2) Give to another, or receive from another, any part or copy of that test;

(3) Give help on that test to, or receive help on that test from, any person during the period that test is being given;

(4) Take any part of that test in behalf of another person;

(5) Use any material or aid during the period that test is being given; or

(6) Intentionally cause, assist, or participate in any act prohibited by this paragraph.

(b) No person whom the Administrator finds to have committed an act prohibited by paragraph (a) of this section is eligible for any airman or ground instructor certificate or rating, or to take any test therefor, under this chapter for a period of 1 year after the date of that act. In addition, the commission of that act is a basis for suspending or revoking any airman or ground instructor certificate or rating held by that person.

§ 61.39 Prerequisites for flight tests.

(a) To be eligible for a flight test for a certificate, or an aircraft or instrument rating issued under this part, the applicant must—

(1) Have passed any required written test since the beginning of the 24th month before the month in which he takes the flight test;

(2) Have the applicable instruction and aeronautical experience prescribed in this part;

(3) Hold a current medical certificate appropriate to the certificate the applicant seeks or, in the case of a rating to be added to the applicant's pilot certificate, at least a current third-class medical certificate issued under part 67 of this chapter;

(4) Except for a flight test for an airline transport pilot certificate, meet the age requirement for the issuance of the certificate or rating he seeks; and

(5) Have a written statement from an appropriately certificated flight instructor certifying that he has given the applicant flight instruction in

preparation for the flight test within 60 days preceding the date of application, and finds him competent to pass the test and to have satisfactory knowledge of the subject areas in which he is shown to be deficient by his FAA airman written test report. However, an applicant need not have this written statement if he—

(i) Holds a foreign pilot license issued by a contracting State to the Convention on International Civil Aviation that authorizes at least the pilot privileges of the airman certificate sought by him;

(ii) Is applying for a type rating only, or a class rating with an associated type rating; or

(iii) Is applying for an airline transport pilot certificate or an additional aircraft rating on that certificate.

(6) If all increments of the practical test for a certificate or rating are not completed on one date, all remaining increments of the test must be satisfactorily completed not more than 60 calendar days after the date on which the applicant begins the test.

(7) If all increments of the practical test are not satisfactorily completed within 60 calendar days as required by paragraph (a)(6) of this section, the applicant must retake the entire practical test, including those increments satisfactorily completed.

(b) Notwithstanding the provisions of paragraph (a)(1) of this section, an applicant for an airline transport pilot certificate or rating may take the flight test for that certificate or rating if—

(1) The applicant—

(i) Within the period ending 24 calendar months after the month in which the applicant passed the first of any required written tests, was employed as a flight crewmember by a U.S. air carrier or commercial operator operating either under part 121 or as a commuter air carrier under part 135 (as defined in part 298 of this title) and is employed by such a certificate holder at the time of the flight test;

(ii) Has completed initial training, and, if appropriate, transition or upgrade training; and

(iii) Meets the recurrent training requirements of the applicable part; or